

Fire Safety Code

Board of Appeal & Review

Minutes of 6-14-05 meeting

The Fire Safety Code Board of Appeal & Review met in the Conference Room located adjacent to 55 Cedar Street, Providence, RI on Tuesday, June 14, 2005 at 1:00 PM. Present were Chairman Farrell, Vice Chairman Coutu and Commissioners Preiss, Newbrook, Pearson, Burlingame and Filippi. Also present were Executive Director Thomas Coffey, Esq. and Assistant Administrative Officer Carol Marsella. The following appeals were considered.

Appeal #s R040013, R040014: Mr. Michael J. Viveiros and Ms. Jan Brody for the properties located at 304 Pearl Street, Providence (Buildings A and B). Lt. Richard Silva and Inspector Stephen Moise appeared for the Providence Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Pearson to grant authority to the Providence Fire Marshal's office to issue temporary certificates of occupancy for portions of these buildings, as they come on line, with any provisions for the safety of these buildings or occupants, as required by the Providence Fire Marshal's office. The motion was unanimous.

Appeal #050111A: Associate Director William Ferguson for the property located at 90 Smith Street in providence (State House).

Chief of Inspections William Howe and DSFM McGarty appeared for the State Fire Marshal's office and Inspector Stephen Moise appeared for the Providence Fire Marshal's office. Commissioner Newbrook made a motion, seconded by Commissioner Burlingame, to approve the plan of action submitted by the Applicant, to be implemented at the direction and to the satisfaction of the State and Providence Fire Marshal's office. The motion was unanimous, and this file is to remain open.

Appeal #050304: Mr. Jason Votolato and Mr. Thomas Macchio for the property located at 260 West Exchange Street in Providence. Chief of Inspections William Howe and Deputy State Fire Marshals Kent and Proto appeared for the State Fire Marshal's office. Vice Chairman Coutu made a motion, seconded by Commissioner Newbrook, to grant the following relief. All deficiencies will be corrected to the satisfaction of the State Fire Marshal's office within six months. To correct deficiency #8 and in order to maintain the aesthetics of the building, smoke barriers with additional sprinkler coverage will be installed in the cited stair tower. The motion was unanimous.

Appeal #040188: Mr. William A. Cumplido Jr., for the property located at 799-801 Broad Street in Central Falls, ADSFM John Garvey appeared for the Central Falls Fire Marshal's office. Vice Chairman Coutu recused himself from consideration of this case. Commissioner Newbrook made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance of 120 days to

complete any work required. The motion was unanimous.

Appeal # 030375: Ms. Kathleen Ash, for the property located at 22 Earle Street in Central Falls. ADSFM John Garvey appeared for the Central Falls Fire Marshal's office. Vice Chairman Coutu recused himself from consideration of this case. Commissioner Filippi made a motion, seconded by Commissioner Burlingame, to grant the Applicant a time variance of 120 days to correct any outstanding deficiencies in this facility. The motion was unanimous.

Appeal #050226: Mr. Ben Burbank, for the property located at 404 Roosevelt Avenue in Central Falls. ADSFM John Garvey appeared for the Central Falls Fire Marshal's office. Vice Chairman Coutu recused himself from consideration of this case. Commissioner Pearson made a motion, seconded by Commissioner Burlingame, to approve the Applicant's plan of action for this facility, and approved the request to give authority to the Central Falls Fire Marshal's office to approve temporary certificates of occupancy for portions of this building as they come on line. The motion was unanimous.

Appeal #050244: Mr. Erol Nuay, for the property located at 465 Reservoir Avenue in Cranston. Via a telephone call to Chairman Farrell, Lt. Timothy Hawthorne of the Cranston Fire Marshal's office stated that he had no objection to this case being heard in his absence. Accordingly, on a motion made by Commissioner Newbrook, seconded by Commissioner Preiss, the Board granted a

variance from the provisions of section 7.2.2 on the basis of structural hardship. The motion was unanimous.

The Board then entertained a request by the Union Fire District for the Board to grant a blanket variance to allow an AHJ to permit an art show in an educational occupancy. Commissioner Newbrook made a motion, seconded by Commissioner Preiss to approve this request until such time as the RI General Assembly passes bill 05-S 1133, which contains language addressing such situations. The motion was unanimous.

Commissioner Newbrook made a motion, seconded by Commissioner Burlingame, to approve the subcommittee's recommendations on the cases heard in the absence of a quorum on June 7, 2005. The motion was unanimous.

**Respectfully submitted,
Carol Marsella**